

RE: Activity in Case 1:23-cv-04293-ALC-SLC Elliot McGucken v. Lonely Planet USA, LLC et al Order

Lackman, Eleanor <eml@msk.com>

Tue 9/5/2023 5:26 PM

To: Scott Burroughs <scott@donigerlawfirm.com>

Cc: David Jenkins <djenkins@donigerlawfirm.com>

Scott,

I will take your request under advisement and respond shortly once I have conferred with my client.

In the interim, are you in agreement that the conference should be in-person? I thought the conference would be taking place by Zoom, but the court order references in-person, so I thought we should get on the same page logistically.

Regards,
Eleanor



Eleanor M. Lackman | Partner

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From: Scott Burroughs <scott@donigerlawfirm.com>

Sent: Tuesday, September 5, 2023 5:20 PM

To: Lackman, Eleanor <eml@msk.com>

Cc: David Jenkins <djenkins@donigerlawfirm.com>

Subject: [EXTERNAL] Fw: Activity in Case 1:23-cv-04293-ALC-SLC Elliot McGucken v. Lonely Planet USA, LLC et al Order

-EXTERNAL MESSAGE-

Counsel - in regards to the below, we request the following materials for use in connection with the mediation:

1. Number of units of the disputed book purchased, sold, and in inventory.
2. Dates of sale, revenues, and gross profits (defined as total sales less cost of goods) for the disputed book.
3. All communications between Defendant and the source for the disputed work at issue.
4. Copy of any license or consent documents/ESI relevant to the use at issue.
5. Copy of all notices (physical or electronic) of infringement for the infringement at issue.

Please provide those in advance of the date by which my client must make a settlement proposal as set forth in the court's order.

Thanks,

--

Scott Alan Burroughs, Esq.
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From: [NYSD ECF Pool@nysd.uscourts.gov](mailto:NYSD_ECF_Pool@nysd.uscourts.gov) <[NYSD ECF Pool@nysd.uscourts.gov](mailto:NYSD_ECF_Pool@nysd.uscourts.gov)>
Sent: Wednesday, July 26, 2023 1:40 PM
To: CourtMail@nysd.uscourts.gov <CourtMail@nysd.uscourts.gov>
Subject: Activity in Case 1:23-cv-04293-ALC-SLC Elliot McGucken v. Lonely Planet USA, LLC et al Order

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U.S. District Court
Southern District of New York

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Case Name: Elliot McGucken v. Lonely Planet USA, LLC et al

Case Number: [1:23-cv-04293-ALC-SLC](#)

Filer:

Document Number: [40](#)

Docket Text:

SETTLEMENT CONFERENCE SCHEDULING ORDER: Settlement Conference set for 10/4/2023 at 10:00 AM, and will take place in person, in Courtroom 18A, 500 Pearl Street, New York, NY 10007 before Judge Andrew L. Carter Jr. (Signed by Magistrate Judge Sarah L Cave on 7/26/2023) (tro)

1:23-cv-04293-ALC-SLC Notice has been electronically mailed to:

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1:23-cv-04293-ALC-SLC Notice has been delivered by other means to:

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The following document(s) are associated with this transaction:

Document description:Main Document

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Electronic document Stamp:

[STAMP dcecfStamp_ID=1008691343 [Date=7/26/2023] [FileNumber=29847657-0] [031349ebd97d9224837093111fdc103dbebe0a9fbb48643b3095818252721a1f3308f4c6dd62b1c5de2ff569869c6a877c62a406c2a8321c901539ea9ac180c3]]